

MINUTES
REGULAR PLANNING COMMISSION MEETING
CITY COUNCIL CHAMBERS
1 CIVIC CENTER DRIVE
SAN MARCOS, CALIFORNIA
TUESDAY, SEPTEMBER 7, 2010 - 6:30 PM

CALL TO ORDER

At 6:30 p.m. Chairman Kildoo called the meeting to order.

PLEDGE OF ALLEGIANCE

Commissioner Schaible led the Pledge of Allegiance to the Flag.

ROLL CALL

The Secretary called the roll:

PRESENT: COMMISSIONERS: Jacoby, Kildoo, Kritzer-Jabara, Nelson, Norris, Schaible, Wedge

ALTERNATE COMMISSIONERS IN AUDIENCE: Maas

ABSENT: Minnery (Alternate)

Also present were: Planning Division Director, Jerry Backoff; Planning Secretary, Lisa Kiss; Deputy City Attorney, Avneet Sidhu; Associate Planner, Susan Vandrew Rodriguez

ORAL AND WRITTEN COMMUNICATIONS

Laura Mouradian, Lake San Marcos resident, Co-Owner of Jumping Turtle:
Provided comments regarding various City staff member's salaries and qualifications.

1. Presentation – CEQA Training

Backoff: Introduced Susan Vandrew Rodriguez, Associate Planner.

Vandrew: Intent of the presentation is to provide general information about the environmental review process known as "CEQA" (California Environmental Quality Act). PowerPoint presentation shown. The City and others in the State must go through the CEQA process which was enacted in 1970. Public agency decision makers must document and consider the environmental consequences of a project. Requires the identification of environmental effects of a project. Discussed Title 18 of City Municipal Code. Provides enhancement and protection of the environment by establishing principles, objectives, criteria, definitions and procedures for evaluation. Discussed

AGENDA ITEM
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Discretionary Actions and types of documents: Exemptions, Initial Study, Negative Declaration or Mitigated NegDec and EIR's. Reviewed/discussed environmental flow chart and how to decide what document is needed. NegDec's includes a 30-day review period. Exemption does not require public review period. Discussed definition of "project," an activity that may change the environment. Issues looked at include: Aesthetics, Agricultural, Air Quality, Biological, Cultural, Greenhouse Gas Emissions, Geology & Soils, Hazardous & Hazardous Materials, Hydrology & Water Quality, Land Use & Planning, Mineral Resources, Noise, Population & Housing, Public Services, Recreation, Transportation/Traffic, and Utilities & Service Systems. The environmental document is required to describe impacts, provide feasible mitigation measures to reduce environmental impacts and include feasible alternatives when a project has significant unavoidable impacts (EIR). Discussed Cumulative Impacts: Two or more individual affects which, when considered together, are considerable or which compound or increase other environmental effects. Cumulative impacts need not be discussed if the project does not contribute an impact. Discussed CEQA Alternatives and Overriding Considerations. Discussed Greenhouse Gas/Climate Change: S-3-05 set emissions targets. AB32 establishes statewide GHG cap. By 2020, must reduce to 1990 levels. SB 97, GHG requires analysis under CEQA, mitigation required for the effect of greenhouse gas emissions. GHG Analysis is a work in progress. Look at baseline and thresholds. Even small incremental emissions can be cumulatively considerable. Discussed analysis to consider. Gave resources used for presentation and websites available.

Nelson: Inquired if water is addressed? Is it assumed we'll have water forever?

Vandrew: There's a water section in the Initial Study. When projects are triggered to have a water demand analysis study conducted, such a study is part of the CEQA review process. When there is a trigger, such as number of units or acreage, the City works with the local water districts in order for analysis to be conducted and it's incorporated into the review.

Backoff: The water and sewer studies are typically done by Vallecitos Water District and their consultants.

Nelson: Indicated he read something in the paper about VWD being sued or threatened with suit, someone thought water fee was too high? Wouldn't they know it before they start process?

Vandrew: When trigger occurs, City requests analysis and it's incorporated into review process.

Norris: Requested copy of the PowerPoint.

CONSENT CALENDAR

2. APPROVAL OF MINUTES, 7/6/10

Action:

COMMISSIONER WEDGE MOVED TO APPROVE CONSENT CALENDAR AS PRESENTED; SECONDED BY COMMISSIONER NELSON AND CARRIED BY A UNANIMOUS VOTE WITH SCHAIABLE AND JACOBY ABSTAINING DUE TO THEIR ABSENCE.

PUBLIC HEARINGS

3. **Case No:** CUP 03-575 (10R)
Application of: Towerco Assets, LLC
Request: Renewal of a Conditional Use Permit for the continued use of a 35' monopole disguised as a broadleaf tree.
Location of Property: 1441 N. Twin Oaks Valley Road, more particularly described as: Parcel "A" of Map 16427. Assessor's Parcel No.: 182-160-12-00; 181-160-22-00.

Staff Presentation (Jerry Backoff):

PowerPoint presentation shown. Showed location of monotree at Twin Oaks Golf Course. Photo shown. No proposed changes. 35' tall pole disguised as broadleaf faux tree, 8-panel antennae's, one GPS antennae and equipment structure. Originally approved by Commission in June, '03. Site operator has changed to Towerco Assets. Requires a Major CUP for wireless on golf course. RF exposure report was prepared by applicant and reviewed by City's Telecommunications Consultant. One opposition letter was received by a nearby resident west of Twin Oaks. They have a similar proposal in their neighborhood. Letter was distributed to Commission. Applicant shall install antennae socks containing synthetic foliage within 60 days of approval. Recommend approval with changes as per memorandum which stipulates a 10-year term required by law, unless it's in Redevelopment Area, which it's not.

Kildoo: Asked for clarification on term change. Is it a legal requirement to change from 5 to 10 years?

Backoff: Yes, staff confirmed it is a State law.

Wedge: Commented she was confused about the letter because this is an existing tower. Letter refers to new tower within 200 feet of their house.

Backoff: Letter alludes to another proposed application, similar to this, in the area of Maloney Street. In that application, Staff asked that provider to look at other alternative sites, including the golf course. Staff is waiting for a response and any reasons why they couldn't locate there.

Nelson: Recall back in '03, there was talk of reciprocal agreements. Asked why not locating on the same pole?

Backoff: You are referring to co-location. Sometimes they do that. It seems to be going away from that trend. The tree may not be high enough to allow co-location. It may be easier on a building, but limited on a tree. In the past, it was addressed and identified

that five or six applications could go on the golf course. From that standpoint, the site itself can be considered a co-location, but not the tree.

OPEN PUBLIC HEARING

Alan Brown, resident: Indicated his neighbor wrote the letter: Thought this was the cell tower to be located 200 feet from his house. Now understand it's not the same one, but might come back later.

Backoff: Staff asked applicant to provide additional information in terms of appropriateness of that location. Not yet sure of their decision.

Kathleen Hill, TowerCo Assets, LLC / Applicant: Concur with Staff's Report.

CLOSE PUBLIC HEARING

Action:

COMMISSIONER WEDGE MOVED TO APPROVE CUP 03-575 (10R) AS SET FORTH IN RESOLUTION PC 10-4178 WITH MODIFICATIONS AS PER STAFF MEMORANDUM: (Preamble): WHEREAS, on January 13, 2010, an application was received from ~~Nextel Communications~~ **TowerCo Assets, LLC**, requesting a Conditional Use Permit to . . . ; R. This Conditional Use Permit shall expire in ~~five~~ **ten (5 10)** years, on September 7, ~~2015~~ **2020**. Any request for . . . ;
SECONDED BY COMMISSIONER JACOBY AND CARRIED BY THE FOLLOWING ELECTRONIC VOTE;

AYES: COMMISSIONERS: JACOBY, KILDOO, KRITZER-JABARA,
NELSON, NORRIS, SCHAIBLE, WEDGE

NOES: COMMISSIONERS: NONE

ABSENT: COMMISSIONERS: NONE

ABSTAIN: COMMISSIONERS: NONE

PLANNING DIRECTOR COMMENTS

Backoff: Earlier, Helen Peak introduced one of the newest Deputy City Attorney's (Sidhu), who is filling in for Jim Lough. Jim Lough serves in Lemon Grove on Tuesday nights, so when necessary Aveneet Sidhu will take his place.

Sidhu: Glad to be here.

PLANNING COMMISSIONERS COMMENTS

Nelson: Indicated he'd like to see everyone here who's on Facebook take a look at Prop K, the new school bond issue.

ADJOURNMENT

At 7:05 p.m. Commissioner Kildoo adjourned the meeting.

Steve Kildoo, Chairman
SAN MARCOS PLANNING COMMISSION

ATTEST:

Lisa Kiss, Secretary
SAN MARCOS PLANNING COMMISSION